EDWARD M. KENNEDY ORAL HISTORY PROJECT

INTERVIEW WITH THOMAS PAYZANT

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Boston, Mass.

Interviewer
Janet Heininger

Attending
Ellen Payzant

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TRANSCRIPT

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Heininger: This is an interview with Tom Payzant on March 25, 2008. Tell me about when you first met Ted Kennedy.

Payzant: I first saw him, but did not meet him, during the Senate campaign in 1962, I believe. He was running against [Edward] McCormack, Jr. I was 21 in November of '61, so I missed the '60 election, and this was going to be the first significant election that I had ever voted in. I had graduated from Williams, and I was at Harvard getting my master's, and I voted for Eddie McCormack. [*laughter*] Little did I know how Kennedy would have a significant impact on my life many years later.

Heininger: That none of us thinks of at 21.

Payzant: Of course, being back in Massachusetts from the mid-'90s until now, after being away for 30 years, I had a chance to vote for the right person the next time I got the opportunity.

Heininger: Was that in the '94 election?

Payzant: No. We didn't come back here until '95.

Heininger: So you missed the one against [Mitt] Romney.

Payzant: I missed the one against Romney.

Heininger: Where he needed all the votes he could get. [*laughter*]

Payzant: That's right. That was the first time that I had been engaged. He got very involved in my confirmation for the position of assistant secretary, when I was nominated in the winter of 1993. Since I had been out of the state for all of those years, in different parts of the country, I hadn't met him. I think I may have seen him speak once or twice, but it would have been when I was in Washington doing something else, not in Massachusetts. It didn't take long, once my confirmation began, because I was the only sub-Cabinet Presidential appointee in the Department of Education who didn't go through on unanimous consent.

Heininger: Why didn't you? Because of being a school superintendent?

Payzant: Because of several things I had done during my career as a school superintendent. The conservative Republicans came after me, particularly the Religious Right, on two issues. When I

was the superintendent in San Diego, where I was prior to going to Washington, there were a couple of issues that followed me. One got not just me involved, but it got Ellen [Payzant] involved as well. I had introduced the idea of school-based health clinics in several of the San Diego high schools, and one of the issues was around contraception. At that time, Ellen was very involved with Planned Parenthood, and she chaired the San Diego/Riverside County Planned Parenthood board.

It was ironic, I thought, having been born in Boston and having grown up in Quincy, a city that back in the ’40s and ’50s was predominantly Catholic, that there were school-based health clinics being started in Boston, and people weren’t fussing about them as much as they were in San Diego. The Catholic church, the Archdiocese, took me on and had letters that went to each parish. The thing that ticked me off was that they implicated Ellen as well and that they thought we were partners in this.

Heininger: Guilt by association.

Payzant: Yes, guilt by association. So that was one issue. The other was, I was on not the local Boy Scouts executive committee, but rather on the big committee of community leaders that superintendents often wind up on. There was an Explorer Post troop leader who had a stellar record—10 years, all kinds of awards for his Explorer Post scouts—who was seen at a gay political rally in San Diego, and he was outed. The connection with the schools was a result of my agreeing with the scouts to have four inner-city schools with low-income kids, whose parents would not let them go out at night to a church or someplace else for a scout meeting, to have an afterschool program. The problem was that some of the kids couldn’t stay after school because of transportation, so I agreed that for one period of the day during the week, the scouts could come in and have the meetings with the kids.

Mrs. Payzant: It was started by the Girl Scouts, by the way, and we got the Boy Scouts to do it.

Payzant: Ellen was involved with the Girl Scouts too. Prior to that, I had recommended that the San Diego school board include sexual orientation in its nondiscrimination policy. That had been a fight with some community members, but it had unanimous support from the board, and it became school district policy. I resigned from the Boy Scout committee very quietly, but I said to the scouts, “I won’t kick your program out in the middle of the year, but by June the program will end and you will not be able to continue it in the future during the school day,” when students are in compulsory attendance. This did not exclude the scouts from using public buildings for afterschool programs. All kinds of organizations have access without a litmus test. So those were the two issues that followed me to Washington, and had it not been for the Senator and his staff, I would not have been confirmed. The White House was not well organized during the first six months of the new administration because they were dealing with so many issues and were pulled in many different directions.

The other serendipitous thing, going back to when we were in San Diego, was that both of our mothers were living with us, and they both had Alzheimer’s. Our children came back home to live for a while. They were in their late teens and early 20s, so we had a big extended family. They helped a lot, but one thing led to another in terms of their condition, and we needed to get outside help. Even though all of our friends had undocumented people working for them, I said

to Ellen, "Look, it's not a huge issue now. Everybody's doing it. But I'm a public official. I'm superintendent of schools. You cannot hire anybody who does not have a green card." Little did I know that in '93 and '94, with the [William] Clinton administration coming in, a number of people who were nominated for Presidential appointments would not be confirmed because of employing people without green cards. Fortunately that was not a problem for me, but I had these other two issues that dogged me.

Heininger: Who chose you? Did [Richard] Riley choose you?

Payzant: Yes, Dick Riley chose me. Interestingly, while I was going through this six-month period, I was going back and forth between San Diego and Washington, working as a consultant. I finally resigned from San Diego in June of 1993, and the Senator said, "We are going to have a Senate committee hearing, a Labor and Human Resources Committee hearing." It was scheduled for just before the July 4th weekend, as I recall, and he said that the Republicans didn't even want to give me a hearing. Trent Lott, the Senator from Mississippi, was the Republicans' attack dog for all the sub-Cabinet Presidential appointees.

Finally, because the Democrats were in control, Kennedy called the hearing, and it was held in early July. His staff members were very supportive. He was directly engaged and involved. He spent time with me leading up to the hearing and then before and after the hearing. He told me that the staff members were going to work very hard to make sure that I was prepared and at ease. People were very worried about the setting for the hearing and whether I was prepared to handle it. It was rather amusing to me, because some of the staff didn't know what an urban school superintendent does, or that while I was in San Diego, I had been to all kinds of legislative hearings in Sacramento. I worked with the school board in the public fishbowl. It was still a pretty high-pressure situation, but the Senator and his staff were terrific, doing what was necessary to get me prepared. He had all of the Democrats on the committee lined up to support me. However, there were a few who didn't attend the hearing. Within a week or so after the hearing, he got the committee to vote, and basically it was a Democrat/Republican split.

Heininger: Party line.

Payzant: And the moderates. Again, if I had my notes, I could remember specifically all of them who voted against me. Judd Gregg, from New Hampshire, was a big opponent. I think Orrin Hatch voted against me even though he and Kennedy were pretty close.

Heininger: Did you miss [James] Jeffords?

Payzant: No, I had Jeffords. I think Nancy Kassebaum might have voted against me in committee—I can't remember—but she ultimately voted for me on the Senate floor. Then we went into the stage where somebody put a hold on me so that I was stuck. Senator Kennedy kept saying, "Don't get discouraged. We'll figure out how to get it done." It was just before the August recess, and there was a deal cut between Bob Dole and George Mitchell, the Republican and Democrat Senate leaders, to bring out four Presidential appointees. One was Judge Ruth Ginsburg, and there were two assistant secretaries from the Department of State, the nominee for the National Endowment for the Humanities, and me. Senator Kennedy was going to be the floor leader for my appointment. The Senate was convened for a special Monday session, because it

was the last week before the August recess. The Senator had a commitment in Boston that he could not get out of, so he asked Senator Paul Wellstone to be my floor leader. He did a fabulous job. There was another surprise. The Senate gallery was packed with boy scouts who were attending the National Boy Scout Jamboree in northern Virginia.

Heininger: They were in Haymarket.

Payzant: And they packed the gallery. The agreement had been that there was a limit for two hours of debate on each of these appointees who were before the Senate. Senator [Jesse] Helms was out there excoriating me, and excoriating Clinton for having gay-loving appointees who did not support the boy scouts, and then inviting the scouts to come to the White House for a ceremony.

Well, long story short, the first vote they took was on Judge Ginsburg. I was back at the Department of Education watching it on C-SPAN [Cable-Satellite Public Affairs Network]. The Senators would walk up to the desk and cast their vote, so I couldn't tell what was happening. But at the end, I had the support of all of the Democrats except one, Senator Robert Byrd, and of the moderate Republicans. My memory is that there was only one Senator absent, and it was one of the Senators from Alaska. I think it was 78 or 79 votes for me, and the others were against. The remarkable thing is, after that day, I never heard another word. So when I was up on the Hill, working on the legislation with Senator Kennedy, his committee, and his colleagues in both parties, I never heard another word about my confirmation or a negative comment about my appointment from those members of the House and Senate with whom I was working.

Heininger: A bit of pro forma opposition then.

Payzant: Yes. It's one of those situations where if I knew what it would take to go all the way to the end, I might not have started down the trail, but once I got on the trail I was determined to go all the way to the end. It was very frustrating not being able to advocate for myself. You can't do anything with the press, and you have to have other people advocate for you. But the Senator was absolutely committed and terrific. My confirmation wouldn't have happened without him.

Heininger: Who established your credentials with him?

Payzant: Well, he knew I was from Massachusetts. That didn't hurt.

Heininger: That helps, yes.

Payzant: He liked Dick Riley a lot.

Mrs. Payzant: You had a writing campaign too.

Payzant: Oh yes, that was the other thing. One of the advantages of having worked in eight different states—and the Senator advised me to do this—was that I was able to spend time, between my hearing and getting my name on the floor of the Senate, visiting Senators from the various states where I had worked. He told me who to concentrate on, and Dick Riley did as well, so I had a couple of visits with Nancy Senator Kassebaum, the ranking Republican on Senator Kennedy's committee. She had started as a school board member in Kansas. That was

her first elected position. She struggled because she didn't understand how anyone could be against the scouts.

The classic one was—and Secretary Riley set this up, but Senator Kennedy agreed—because Secretary Riley had the connection with South Carolina Senator Strom Thurmond, he sent Billy Webster, who was chief of staff, with me to see Senator Thurmond. That was quite an experience. I don't know, maybe Senator Kennedy talked with him. Maybe it was all Dick Riley, but it was funny because it was very short, and Senator Thurmond said, "Well, you were a superintendent of schools, is that right?" I said, "Yes, Senator." He said, "So you worked for the school board, correct?" "Yes, Senator." Then he said, "Well, it wasn't your decision, then, to kick the Boy Scouts out in San Diego, was it? It was the school board's." [*laughter*] Then Billy Webster kicked me under the table—"Yes, Senator." "Well, my good buddy Dick Riley says you're okay, so I guess I can vote for you."

Heininger: In Washington it's all who you know.

Payzant: The only Democrat who didn't vote for me was Robert Byrd. He was big in scouts.

Heininger: I figured that was coming.

Payzant: So that was my introduction to Washington. When I became very closely associated with Senator Kennedy—and then, of course, after I was confirmed, because he was chairing the committee with all of the education legislation—I saw a lot of him.

Heininger: Tell me a little bit about what [George H.W.] Bush had attempted to do on education, and then when Clinton came in, what he and Riley were trying to do in education, because I know your focus was the K–12.

Payzant: Well, an historic meeting of the Governors had occurred when Bush was President, and they had agreed on some big-picture education goals. What was significant was that you had a Republican President agreeing that there ought to be a way to raise the awareness of the American people on the necessity of improving public education. Of course when [Ronald] Reagan was President, we had "The Nation at Risk Report," and its powerful message, which was the rising tide of mediocrity and the need to get the attention of the American people and their support for improving public education.

The first major piece of legislation built on the work that the Governors had done when President Clinton was Governor of Arkansas and involved with the Education Commission of the States, which helped develop education policy. The Goals 2000 legislation created the first big policy battle that occurred early in the first Clinton term. It became quite controversial, given that Democrats controlled both Houses in that first Congress, and the issues—which had always been out there, particularly with the conservatives—were no federal intrusion, leave the policy to the states, and by all means don't touch local control in the 15,000 school districts in America that are run by school boards. So it was not an easy victory to get Goals 2000 through.

Of course Senator Kennedy was chair of the Education and Labor Committee and was a key player in pushing the legislation through the Senate. I can remember the hearings. He was very supportive, worked very closely with Secretary Riley and with people such as Under Secretary

Mike [Marshall] Smith, Mike Cohen, and several other staff people. As Assistant Secretary for Elementary and Secondary Education, I was also involved, took some key roles, and went out on the road to build support for the legislation. It was quite an experience, particularly going into conservative areas and trying to convince people that the Goals 2000 legislation was not in any way an attempt of the Federal Government to come in and tell local school districts what they had to do. I remember testifying in Austin, Texas, before a joint House/Senate committee, and it was in a typical committee hearing room. Behind me as I testified were several rows of chairs filled with Eagle Forum ladies. Of course their message was 180 degrees from the one I was presenting to the committee.

I remember that it was a very hard-fought battle to line up the votes to get that legislation through. I remember sitting in the Senate chamber, up in the gallery, with Secretary Riley and all of the key staff people from the Department of Education and Senator Kennedy's office. It was just before a long weekend where Senators were heading home, and a couple of people were called back from the airport or homes because a vote was going to be taken. I remember that it was very late—it must have been 1:00 or 1:30 in the morning—when Senator Daniel Patrick Moynihan walked into the chamber, and finally there were the votes to pass Goals 2000. That was my first significant experience in Washington with the legislative process and the politics of getting a bill through the Senate.

The process for enacting the Goals 2000 legislation was good preparation for the more significant role I played in the reauthorization of ESEA [Elementary and Secondary Education Act]. While I was out on the road supporting Goals 2000, I wasn't involved as much in the legislative hearings. Secretary Riley and Madeleine Kunin, the Deputy Secretary, were the key players, because the legislation was on a fast track to get it through Congress.

Heininger: Had you had experience in dealing with standards in San Diego?

Payzant: It was at the beginning of the standards-based movement, in the late 1980s and early 1990s. I was involved in a couple of national commissions that were dealing with standards-based issues. One was the National Board for Professional Teaching Standards. There was a lot going on in California, where Bill Honig was state superintendent. He led the conversation there as an advocate for standards. I had begun to lead some of that work as Superintendent of Schools in San Diego, but we saw the Goals 2000 and the reauthorization of the Elementary and Secondary Education Act as the catalyst for moving that conversation much more broadly across all of the states during President Clinton's first term.

I was a convert and embraced the standards-based reform framework—clear expectations about what students should learn; a curriculum that would give students and teachers access to good, solid content; a support system for teachers to provide the opportunity for children to get good instruction; and then an assessment system that was not initially viewed as just for accountability purposes, but one that would provide guidance for teachers along the way, as good teachers have always sought, to see whether the curriculum and their instruction are working. If not, some midcourse corrections may be necessary as teachers adjust their teaching and/or curriculum content.

Of course there was the realization that there needed to be some accountability for results, and those would typically be results that would come from end-of-the-year summary assessments, rather than from the formative ones that would be used along the way by districts and schools and classroom teachers. There was a commitment to align the components of the standards-based framework. It could be powerful if it all came together.

The group that Secretary Riley had brought to the Department of Education worked well together. Mike Smith and I knew each other. Mike Cohen, along with several of the other key people who were engaged and involved, came in with a commitment to standards-based reform. Back in the early '90s, Mike and Jennifer O'Day had written the seminal paper on standards that became one of the key reference points for the substantive policy changes included in the reauthorization of ESEA in 1994.

Heininger: And the President publicly and vociferously committed to it.

Payzant: Yes, absolutely.

Heininger: So it was an unusual combination; it was an unusual constellation.

Payzant: It was because there wasn't a lot of evidence from earlier campaigns and Presidential elections that major attention would focus on education policy. During the Presidential campaign Governor Clinton laid out his education policy goals. Some credit should go to the senior Bush, who had been engaged and involved in getting the Governors together, but it was the Governors, and some of the work that they had done in their periodic meetings, who were helpful in getting the support along the way. President Clinton had been a leader among the Governors.

Heininger: But that was done by sharing state experiences at the state level, not by then injecting the federal role on top of it.

Payzant: Exactly. It was the ESEA reauthorization in '94 that incorporated the standards-based reform framework. Goals 2000 was the precursor. However, it was embedding it in the most important piece of federal education legislation, which had shaped federal policy, and allocated targeted federal resources beginning in 1965, when it was initially passed by Congress and signed by President Lyndon Johnson. So that was pretty significant. It was a fascinating process to be part of. Senator Kennedy's leadership was essential at every step of the long legislative process.

At the end we got down to a crunch in terms of the bill, if it was going to go through all of the stages—committee hearings and votes in both Houses, and agreements in the Conference Committee, formal votes in the House and Senate and the President's signature. Then there was a deadline in terms of the President signing it, and of course Senator Kennedy was a key player in that. On the House side, Bill Goodling was the chair of the House Education Committee, and he was a former superintendent of schools in York, Pennsylvania. One of the things I did was to visit some Congressional districts with some of the Congressmen, and I spent a day and a half with him in York. The Senator thought that that was a very good use of my time. [*laughs*]

Heininger: Did you have more difficulty getting it through the House or the Senate? Were the concerns different in the two bodies?

Payzant: Here's where it would have been helpful for me to get some of my notes out to refresh my memory. There was a huge fight over the Title I formula, which had historically been the case every time reauthorization occurred. The Senate, with Senator Kennedy's leadership, was pushing for a much more targeted allocation of resources where the concentrations of low-income students were the greatest. Of course in the House, where you have so many Representatives and they don't all have low-income schools in their districts. Members wanted their districts, not just the urban districts, to have money too.

Heininger: There are so many different kinds of districts.

Payzant: Lots of different kinds of districts, or they may have a few schools with a low percentage of low-income students, but they wanted some money for everybody. So there was a tension—thinking ahead to appropriations, not just to the authorization—about how the money would be distributed. So that was, I think, the biggest and toughest issue to get agreement on. Of course there were differences in that first Congress. The Democrats were sometimes their own worst enemies.

Heininger: Yes.

Payzant: In that first Congress. That was very tricky indeed.

Heininger: Was it more difficult than you'd expected it to be or than Riley had expected it to be?

Payzant: Since it was the first round and we were all relatively new and it was the first major reauthorization, I think that the Goals 2000 battle educated us all a bit that this was not going to be easy or a slam dunk. It took longer than initially hoped, as I remember, and then there were always the things that people want to tag on at the end that are often ideologically grounded and are of strong value to certain people who are saying, "This is the price of my vote," and yet they're a red flag to people who are dead set against having anything added on.

Heininger: You mean like guns, sex, and religion?

Payzant: Exactly. So we had that to worry about.

Heininger: It can, however, reduce the tinkering that goes on with the substance of what lies underneath.

Payzant: Yes. The other thing that Senator Kennedy is a master at is getting the lay of the land, understanding where people are on issues and why, and having a pretty good sense of where to hold the line, where to push, and where to seek a middle ground.

Heininger: And when to send you out to a Congressional district.

Payzant: Yes. So it all came together, and one of the funny, serendipitous things was that it had to be signed by, let's say, the end of March. I don't remember. I think that might have been right. The Clintons were in San Diego for a brief holiday with Chelsea [Clinton], and they had combined it with some other things, but they were in San Diego, at the Hotel Del. It had to be

signed. He was not coming back to Washington. They wanted an event, and it should be in a school. It ended up being in one of my former schools in San Diego, which was quite a thrill for me and very unpredictable ahead of time. The work that went into that was amazing, and a lot of people ought to take credit.

The Senator knew when to call the hearings, he knew when to get the staff people to work together, and he knew where the hot-button issues would be. In any negotiations where you have some substantial differences between two sides, each side, in order to get to the middle ground that is necessary to get a result, will sometimes give a little bit more than they initially thought they would. He was very good at knowing when to draw the line and when to find a way to compromise on something that would not unravel the guts of what we were trying to do but that was necessary to get it done.

Heininger: Were there times when you were on opposite sides with him, or were there things that he wanted out of the two bills that were not what the administration wanted?

Payzant: I'm hesitating because there were, but I'm trying to think of an example. Most of the fighting occurred at the staff level. I would be in sessions with the Senator's lead staff members, Ellen Guiney and Clayton Spencer, and I'd be on one track and they'd be on another track, and it was a question of how we could get to the switch and who was going to pull the switch if we were to go this track or that. The Senator and Dick Riley were very respectful of each other, and they would have conversations, and often the two of them would figure out where the middle ground would be on the larger issues, and the staff would be left to put the loose ends together.

I think that there were some issues around the assessment piece and the testing, because in the '94 bill, which included standards-based reform, it was clear that the states had to develop standards and that there were to be assessments. There was some debate, even back in that initial bill, about how much the Federal Government should require the states to do. This makes it all the more remarkable, with the Republicans fighting even the idea of standards every step of the way, that the states would have said, "Leave the testing alone," when ten years later the No Child Left Behind legislation would focus on accountability. I'm not doing a good job of remembering a specific example, but maybe Ellen gave you one earlier today.

Heininger: No, but you've placed it in context, that regardless of how good the relationship was, there were always differences that had to be worked out along the way.

Payzant: I can tell you one of the things that I had an issue with. What I basically brought to the process was experience as a practitioner. I could talk to staff members, Senators, and representatives about what the impact of a proposed policy would be in school districts and schools. There was a big push to include money for capital improvements, for major renovation of schools, and so on, because there was a great need, particularly in urban districts, with a lot of rundown facilities and not enough money. I was opposed to that because I saw that as a state and local responsibility. I did not want to confuse the funding for capital needs, which would compete with appropriations targeted to provide education services to children in classrooms and schools.

I remember that there were some tensions around that one. I could have this wrong, but I think Senator [Carol] Moseley Braun, from Illinois, was pushing for funds to build schools. She was on Senator Kennedy's committee. Since everybody has their big issue, the Senator was trying, as any good chair of a committee does, to deal with that, but I thought that it was bad policy and that it could suck all of the federal dollars and put them in cities to improve, repair, and maintain buildings.

Heininger: With no improvement in the quality of teaching.

Payzant: Exactly.

Heininger: How did the states respond? This is a sea change for states in terms of dealing with schools.

Payzant: It was interesting, because I got to work with the chief state school offices a lot. That was a great experience for me because of my previous work as superintendent of schools in San Diego, the second largest district in California. Although I had a very good relationship with state superintendent Bill Honig, where the state has a huge role in shaping policy and allocating resources, I saw the state sometimes as not the greatest helper in the world in terms of what people were trying to do in San Francisco, L.A., San Diego, Fresno, and other large cities. So I got a different perspective in terms of the state policy issues and the wide range of government structures with states' boards of education, elected or appointed state superintendents, and the role that they played.

There was concern in some quarters about alleged bloated bureaucracies in state capitols, such as departments of education. There was a tension where the chief state-school officers said, "If we're going to be able to do this work and implement it and embrace the standards and all the other requirements of the federal legislation, we have to have more resources to do it."

Heininger: And more people.

Payzant: And people, the human-capacity issue to do the work that was going to be required. I came to appreciate that a lot more as a result of having worked with them, but that became an issue. Because those who understood the legislation knew that the states had the responsibility and the freedom to develop their own curriculum standards.

Heininger: Because this was not a national standard.

Payzant: No.

Heininger: And this is what Clinton came in wanting, wasn't it?

Payzant: Yes, but it was a battle between the different ways of thinking about standards. There were the curriculum standards, which became the focus of the legislation, and the big political fight was around opportunity-to-learn standards. Opportunity-to-learn standards were supported by the more liberal Democrats, who said, "You can't create standards, expecting states and school districts and schools to do certain things with curriculum, without giving support for

students who are far behind and who won't have the opportunity to learn without that additional support, which will take additional financial resources."

Heininger: Right. Which has a lot to do with flexibility too.

Payzant: It does, but see, a lot of it was the fight around the opportunity-to-learn standards, because the states would be doing most of the financing, and the federal contribution was 7 to 8 percent, maybe even a little bit less initially.

Heininger: That's nothing.

Payzant: Yes. Then it became politically divisive within the Democratic caucus, so people kept pushing the opportunity-to-learn standards to the side because it was getting in the way and bringing the whole thing down. So the intentional decision was to not push opportunity-to-learn standards into the legislation in any significant way, but to focus on the content standards, the curriculum. The national piece wouldn't go because of the pushback from the states and because of the worry that the Federal Government was overstepping its bounds. This is not what the 10th amendment to the Constitution had in mind. That's my memory of the way it came out in that '94 reauthorization.

Heininger: But if my recollection serves me, the problem with the opportunity-to-learn standards—meaning, if you're going to set a standard that says that all kids have to meet a set of standards, whatever they may be, whether they're state or national, and if you don't provide the resources—and during the Clinton administration, pushing these aside so that you could get standards through—did that not set the stage for No Child Left Behind, where opportunity-to-learn is even more sidelined?

Payzant: In some respects it may have, but the passion around standards and clear expectations for learning and all children—the all-children piece was a radical idea because it was saying all children should reach the standard that historically had been expected only of select groups of students, and the states should do it. But the opportunity-to-learn piece was so politically charged because it had such implications for resources, not just the federal money but more importantly what the states would have to do. The concern was that you would get a lot of skittish people in the House and in the Senate who were hearing from people at the state level that this policy on standards was the Trojan horse, and beware because this is going to create all kinds of new expectations and responsibilities, or what we've come to know as an unfunded mandate.

Heininger: Right. So you faced a set of political problems that focused on the issue of federalism and state relations.

Payzant: Yes.

Heininger: The centuries-old battle that has been fought in this country.

Payzant: Yes.

Heininger: All focused on this piece, which was a sea change in how states were going to handle education. What happened when [Newton] Gingrich came in?

Payzant: I was gone by then. I was off to Boston.

Heininger: But at that point you're off in Boston dealing with the implications of this legislation.

Payzant: Yes. From the standpoint of being back as an urban superintendent, starting in '95, which was in the third year of the first Clinton term, there was a wide variation of how seriously the states were taking the reauthorization in '94. Massachusetts had already begun to work on the curriculum standards by the time I got here. They called them "curriculum frameworks." I came in with a standards-based philosophy. I put together the first five-year "Focus on Children" plan for improving all schools in Boston. That was the model, and it has persisted.

But what happened with Gingrich, and then when [George W.] Bush came in, you had a flip-flop. Rather than the standards driving improved curriculum and instruction—and hopefully the student-achievement gap closing—as we would see by assessments that were developed at the state and aligned with the state standards, the whole thing flip-flopped in terms of, "This is all about accountability. Let's start with the assessments, the tests, and the results and have them drive what happens." Here's where I'm not the right one to talk about what was going on inside at that point. I saw it as a superintendent in Boston.

Heininger: No. I want you to talk about it from the Boston perspective.

Payzant: From the Boston perspective, I liked the fact that the standards were being developed. In fact I took the state-curriculum frameworks, which were more general in nature but certainly were of good quality. Massachusetts was one of the first states that got its plan approved. The first thing I did was develop citywide learning standards in all of the subject areas. They provided the next level of specificity for what students should know and be able to do based on the state-curriculum frameworks. So I was a convert, but they were pretty general standards at the state level, and in order to get them down into schools and classrooms, the local district had to do more work. In June and July of '96, after I had been in Boston nine months, the city-wide learning standards were adopted by the school committee, and they were in the schools in the fall of '96.

Heininger: This was in advance of where most other states and urban areas were.

Payzant: Yes.

Heininger: Was that because Massachusetts was inclined toward education reform to begin with?

Payzant: It was. In '94, the state legislature passed a 10-year education reform bill, which picked up on the standards-based philosophy, and it put a fair amount of money on the table over the next 10 years. It was a nice confluence of the federal legislation and what was going on in the state. It also set a fairly high bar in terms of the standards, which has continued to be a high bar, because if you fast forward to 2007, in the national assessment of education-progress results, if you look at the gap between the proficiency standards on the state's assessment, the MCAS [Massachusetts Comprehensive Assessment System], and the proficiency on NAEP [National Assessment of Educational Progress], it's the smallest gap of any of the 50 states. So

Massachusetts has the highest bar. That was always the intent, I think, the original desire of having national standards, that you would get a more realistic bar.

Heininger: Which probably would have been lower than Massachusetts' bar.

Payzant: It would have been lower, but now we have 50 different bars, wide variation from the high bar to the low bar, and yet we have an accountability system that says that the word is proficiency. There are wide variations among the proficiency standards in the fifty states.

Heininger: Of what proficiency means.

Payzant: What it means, where the cut scores are on the tests, and how high or how low the bar is.

Heininger: Which, it strikes me, creates problems for educators.

Payzant: It does, and yet I think that one of the most promising things that's happened is, you take an organization like Achieve, Inc., that Mike Cohen runs—and he was very involved in the administration, as you know—they have gotten 30-some states to sign on to an Algebra II project, which will have a single Algebra II exam that will be used a number of states. Well, that may be the back door to standards, but it will perhaps get people to realize that there is no reason why you have to have 50 different states figuring out 50 different ways to teach Algebra II.

Heininger: Isn't algebra generally the benchmark that's being used for measuring math standards for eighth grade?

Payzant: Algebra I would be, yes.

Heininger: Okay. So this is an Algebra II test that they have developed?

Payzant: It's an Algebra II test.

Heininger: Generally the 10th grade curriculum. So you start with one that isn't the one that is the bar for all of the states.

Payzant: But it's also, if this is Algebra II here, then what do you have to do to get kids ready to be there?

Heininger: Clever. I take it that there is more difficulty in getting them in the reading standards, or how about history standards?

Payzant: Probably math is the easiest.

Heininger: Because it's simply numbers.

Payzant: The science and history will be tough. The science will be tough because of the evolution piece and intelligent design. So even though there is such a compelling argument in terms of what's happening with a flat world and globalization, all of these countries that we're

competing with basically do not have subdivisions at every level deciding what the curriculum will be and what the standards will be. But that's another story.

Since I have been in Boston, I've had a lot of contact with Senator Kennedy. Well, first I ought to tell the story. Boston started looking for a superintendent in late '94, early '95. I guess they started the formal search in the late winter or spring of '95. It was not at a time when I was deeply involved with a particular piece of legislation that the Senator would have been working on. This was post ESEA reauthorization. I got a message that he had called me. I hadn't heard from him for a while, so I welcomed the opportunity to speak with him. He called me up and said, "Tom, I understand that the Boston superintendent's job is open. I don't want you to leave Washington and all of that, but that would be a perfect job for you, and they need you. I hear that you keep saying that you're not interested." This was the first of what turned out to be two or three conversations that we had along the way.

Heininger: He had a bit of a vested interest in this position, didn't he?

Payzant: Yes. It was funny, because my initial reaction was, "That's kind of strange." Then I thought about it and said, "Maybe it's not, because he knows the mayor very well." There was new mayoral control, the mayor appoints the school committee. It was a new day in Boston, with an education mayor. I won't say that he was the main reason that I threw my hat in the ring, but he certainly was one of the people who made compelling arguments that I should do it, that I had made a contribution in Washington, and although it would be great for me to stay, that I was needed more in Boston. That was the approach that he took. During my tenure in Boston, he has stayed in touch with me regularly. I was shocked one day—it was probably in my first year; I might have been here 12 or 15 months—he called up and said, "I have 15 to 20 minutes, and I'm going to stop by and see you." He came in by himself, sat down, and we had a nice conversation.

When I retired in 2006, I had my staff assistant keep a folder of personal notes that I wanted to save. It was not a fat folder; it was a fairly thin folder, but I was absolutely staggered. In the course of 10 years and eight months, I had received 11 or 12 personal notes, usually with a typed paragraph or two, which he might have dictated, but then always with a handwritten sentence or two at the bottom. And as Ellen told you, he called several times. He called the house, and he would call me at the office. I saw him at a lot of events with the mayor here, or he'd come in and speak, and he'd see me in the audience and he'd say, "And there's Tom Payzant, your superintendent." He was wonderful. I saw him a number of times. I got to know Vicki [Kennedy] a little bit, whom I adore. I think she's fabulous. I won't get catty about this, but it's unusual, unless an elected official wants something, to receive a call. Senator Kennedy's notes and calls were different.

Heininger: Yes.

Payzant: I've done several sessions with him. I did a session in January over at the Kennedy School. He called me up and said, "I want to get 15 or 18 key people together, educators and so on, to discuss what I'm thinking about on the reauthorization, and I want you to sit with me." He did it back in September. We went out to the library, and he had me sit with him with two different groups. One was the heads of all of the state associations—the school committees, superintendents, the principals, the two teacher unions—and the other was a group of mayors and

urban superintendents. He'll have his staff call me from time to time. Whenever we talk he wants to know what I think about something he is thinking about.

It's remarkable how he stays focused on the importance of the work, how committed he is in terms of the values he holds about the importance of everything he's working on—but obviously education, because that's my major experience—and the time he takes to say thank you. He may do some of the work in the other two areas through staff, which he has to do. He couldn't do it all. But the time he takes with a phone call or personal notes or singling you out in an audience when he's talking to a group and you're not sitting up there on the stage with him, it's remarkable.

Heininger: Did you play tennis with him?

Payzant: I did. [*laughing*] This was really funny. I can't pinpoint the time. It was in Washington. Somebody told him that I play tennis. Well, I am not a good tennis player. I mean, I play a few times every summer, but it has never been a major sport for me. I can hit the ball but not in a real fast game. He kept talking about it and he said, "We're going to play early some morning." The first time I was invited, he had to cancel for some reason. Then I got another call, and I went and played. We played doubles, and we played for about an hour, and he was just like anybody else out there. It was a wonderful opportunity to see him in a different setting. But there again, he was competitive. [*laughter*]

Heininger: Really?

Payzant: But a great sense of humor.

Heininger: It sounds like it has been a good relationship that you have had with him.

Payzant: It has. The last time I saw him was just before the holidays. I was in Washington, and I was catching the shuttle, as I did today. I hadn't had any lunch, so I was standing to get a sandwich, and I felt a tap on my shoulder. I looked and it was Vicki. We chatted and I said, "Where's the Senator?" She said, "Oh he's around. You'll see him." Then I got my sandwich, went back, and sat down. Then I saw him sitting with Vicki, and I thought it was Eunice [Kennedy Shriver] who was with him and somebody else who I couldn't see. I said, "I'm not going to go over and disturb him now."

Because I travel the US Air shuttle so much that I often get upgraded, I figured, *I'm sure he'll be upgraded*. Anyway, I got on the plane, and there were two seats in the bulkhead. I was in the third row. Then an attendant came in, and then Eunice came in. There was somebody else with her. Then he and Vicki came in, and he saw me. I was in the back row. They were closing the door, and they wanted him to sit down. He was coming back. He was talking as he walked through the cabin. "Tom, how are you doing? I haven't seen you in a while," and so on, and, "I'm going to call you" to do this, that, and the other thing. Then he grabbed me on the way out, and he started talking about the reauthorization, so we walked out. Then Eunice came along, and he wanted to introduce me to Eunice. It was like you pick up where you left off, even though you might not have seen somebody for several months or so. So I'm obviously very fond of him, and I think he's done incredible service for this country.

Heininger: It sounds like he's fairly fond of you too.

Payzant: Yes, well, it's been a nice relationship. I know he has a lot of people in his world, and yet he sure makes you feel like you're important as a friend, not just as somebody who you've worked professionally with, which is not something that a lot of leaders do well.

Heininger: No, it's not. Well, this has been excellent.

Payzant: Good.

Heininger: I want to thank you for it.

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